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EXAMINER
DAO, THUY CHAN

ART UNIT	PAPER NUMBER
2192	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
	10/751,333	SARUKKAI ET AL.
Office Action Summary	Examiner	Art Unit	
	Thuy Dao	2192	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _03_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _03 December 2007_.
2a) ☐ This action is FINAL.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-21_ is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) _1-21_ is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☒ The drawing(s) filed on _02 January 2004_ is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
       1. ☐ Certified copies of the priority documents have been received.
       2. ☐ Certified copies of the priority documents have been received in Application No. _____.
       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

1. This action is responsive to the amendment filed on December 3, 2007.

2. Claims 1-21 have been examined.

Response to Amendments

3. Per Applicants' request, claims 7 and 15 have been amended.

4. The objection to claims 7 and 15 is withdrawn in view of Applicants' amendments.

Response to Arguments

5. Applicant's arguments with respect to the rejections of claims 1-21 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground of rejection is made in view of US Patent Publication No. 2005/0172306 A1 (Agarwal) and further in view of US Patent Publication No. 2003/0229677 A1 (Allan) as applied in details below.

Claim Interpretation

6. Claim 9 directs to "[a] computer program embodied on a computer readable medium...", wherein "a computer readable medium" is defined in the originally filed disclosure as "... a computer readable storage medium, such as, but is not limited to, any type of disk ..., or any type of media suitable for storing electronic instructions" ([0039], lines 5-9, emphasis added).

In light of the specification, the examiner treats "a computer program embodied on a computer readable medium ..." as a computer program <u>stored</u> on a computer readable medium (emphasis added).

Claim Rejections – 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious

at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8. Claims 1-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over US Patent Publication No. 2005/0172306 A1 to Agarwal et al. (art made of record, hereinafter "Agarwal") and further in view of US Patent Publication No. 2003/0229677 A1 to Allan (art made of record, hereinafter "Allan").

Claim 1:

Agarwal discloses a method, system, and computer program product *for integrating run-time metrics into a development environment, the development environment including a runtime environment and a user interface environment, the method comprising:*

determining an application component to be monitored in the development environment, the application component having associated information in a component repository of the development runtime environment (e.g., [0068], [0017], FIG. 6, steps 200-210, monitoring run-time activity of components, [0058]);

wherein the component repository is configured to provide a list of components that are available to be invoked by the development runtime environment (e.g., [0052], selecting/polling system components; [0084]; polling Web Application Server 100, [0087-0088]);

monitoring the application component in the development runtime environment to determine a plurality of metrics associated with the application component (e.g., [0057], [0066], [0095]);

transmitting the plurality of metrics to a data collector of the development environment user interface; and displaying the metrics to a user of the development environment (e.g., [0017], [0042], FIG. 6, steps 230-240; FIG. 7A-B, [0174]; col.13, Tables 3 and 4).

Agarwal briefly discloses an integrated development environment IDE (e.g., [0071] and [0076]), but not explicitly discloses using the integrated development environment IDE.

However, in an analogous art, Allan further discloses using an IDE (e.g., FIG. 3A-B, [0048]; FIG. 6, GUI of a real-time transaction monitor, [0064]-0068]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so to construct a graphical representation of a DOM as suggested by Allan (e.g., [0048]-[0049]).

Claim 2:

The rejection of claims 2 is incorporated. Allan further discloses *providing, to the user of the IDE, an alert notifying the user of an error condition generated by the application component in production* (e.g., FIG. 7, Transaction Error Review, [0069]-[0070]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so to as set forth above.

Claim 3:

The rejection of claims 2 is incorporated. Agarwal also discloses *providing an alert comprises displaying, for the user, a list of alerts generated since a last login by the user* (e.g., [0068] and [0084]).

Claim 4:

The rejection of claims 2 is incorporated. Agarwal also discloses *providing an alert comprises sending an alphanumeric page to the user* (e.g., [0058], [0087]-[0088]).

Claim 5:

The rejection of claims 1 is incorporated. Allan further discloses *providing a policy manager in the IDE to allow the user to specify an operational concern for the application component; communicating the specified operational concern to a policy agent in the IDE runtime environment; and enforcing the operational concern with the policy agent during operation of the application component* (e.g., FIG. 3A-B, [0048]-[0050]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so to construct a graphical representation of a DOM as suggested by Allan (e.g., [0048]-[0049]).

Claim 6:

The rejection of claims 5 is incorporated. Agarwal also discloses *the operational concern is selected from the group consisting of a logging policy, an authentication policy, an encryption policy, and a caching policy* (e.g., [0057] and [0066]).

Claim 7:

The rejection of claims 1 is incorporated. Allan further discloses *allowing the user to create the application component in the IDE; and automatically registering the application component, when it has been created, with the component repository* (e.g., FIG. 4, [0051]-[0054]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 8:

The rejection of claims 7 is incorporated. Allan further discloses *determining an application component to be monitored comprises: providing, from the component repository, a list of application components that can be invoked; and allowing the user of*

the IDE to specify an application component to be opened in the IDE runtime environment (e.g., FIG. 5, [0055]-[0059]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 9:

Claim 9 is a computer program version, which recites the same limitations as those of claim 1, wherein all claimed limitations have been addressed and/or set forth above. Therefore, as the reference teaches all of the limitations of the above claim, it also teaches all of the limitations of claim 9.

Claim 10:

Agarwal discloses *a computer system comprising a processor and a computer readable medium, the computer readable medium having stored thereon a computer program executable by the processor, the computer program comprising:*

a component repository configured to maintain a list of available application components that can be invoked by a development environment runtime environment (e.g., [0052], [0084], [0087]-[0088]);

an development runtime environment configured to open an application component and monitor operation of the application component to determine a plurality of metrics associated with the application component (e.g., [0068], [0017], FIG. 6, steps 200-210, monitoring run-time activity of components, [0058])*; and*

a development environment user interface configured to allow a user to perform software development tasks (e.g., FIG. 7A-B, [0174]), *the development environment user interface comprising:*

an instrumentor in communication with the development runtime environment, the instrumentor being configured to allow a user to control operation of the development runtime environment (e.g., [0057], [0066], [0095])*; and*

       a data collector in configuration with the development runtime environment, the data collector being configured to display at least some of the plurality of metrics associated with the application component (e.g., FIG. 6, steps 230-240, [0017], [0042]).

       Agarwal briefly discloses an integrated development environment IDE (e.g., [0071] and [0076]), but not explicitly discloses using the integrated development environment IDE.

       However, in an analogous art, Allan further discloses using an IDE (e.g., FIG. 3A-B, [0048]; FIG. 6, GUI of a real-time transaction monitor, [0064]-[0068]).

       It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so to construct a graphical representation of a DOM as suggested by Allan (e.g., [0048]-[0049]).

Claim 11:

       The rejection of claims 10 is incorporated. Allan further discloses *the IDE runtime environment comprises the component repository* (e.g., [0048]-[0050]).

       It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 12:

       The rejection of claims 10 is incorporated. Allan further discloses *the IDE user interface comprises a monitor, and wherein the monitor comprises the instrumentor and the data collector* (e.g., [0055]-[0059]).

       It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 13:

The rejection of claims 11 is incorporated. Allan further discloses *the IDE user interface further comprises a policy manager configured to allow the user to specify an operational concern for the application component, and wherein the IDE runtime environment comprises a policy agent in communication with the policy manager, the policy agent being configured to receive the operational concern from the policy agent and enforce the operational concern during operation of the application component* (e.g., [0051]-[0054]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so to construct a graphical representation of a DOM as suggested by Allan (e.g., [0048]-[0049]).

Claim 14:

The rejection of claims 10 is incorporated. Allan further discloses *the IDE runtime environment comprises: a listener in communication with the instrumentor, the listener being configured to receive instructions from the instrumentor for controlling operation of the IDE runtime environment; and a sender in communication with the data collector, the sender being configured to translate events generated by the operation of the application component into messages, and to send the messages to the data collector* (e.g., [0069]-[0070]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 15:

The rejection of claims 10 is incorporated. Allan further discloses *allow the user to create an application component in the IDE user interface; and automatically register the application component, when it has been created, with the component repository* (e.g., [0048]-[0050]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 16:

The rejection of claims 10 is incorporated. Allan further discloses *the instrumentor is configured to allow a user to control operation of the IDE runtime environment by specifying a particular application component that should be monitored* (e.g., [0051]-[0054]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 17:

The rejection of claims 10 is incorporated. Allan further discloses *the instrumentor is configured to allow a user to control operation of the IDE runtime environment by setting a context for the application component to be monitored* (e.g., [0055]-[0059]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 18:

The rejection of claims 17 is incorporated. Agarwal also discloses *the metrics displayed by the data collector are related to the context specified by the instrumentor* (e.g., [0017 and [0042]).

Claim 19:

The rejection of claims 10 is incorporated. Allan further discloses *the IDE runtime environment is configured to monitor application components in a production environment* (e.g., [0069]-[0070]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Claim 20:

The rejection of claims 19 is incorporated. Agarwal also discloses *the component repository is configured to maintain a list of available application components that can be invoked either in the production environment or in a development environment* (e.g., [0052], [0084]).

Claim 21:

The rejection of claims 10 is incorporated. Allan further discloses *the IDE user interface communicates with the IDE runtime environment using one or more protocols selected from the group consisting of the simple object access protocol ("SOAP"), the java message service, and remote method invocation* (e.g., [0048]-[0050 and [0069]-[0070]).

It would have been obvious to a person having ordinary skill in the art at the time the invention was made to combine Allan's teaching into Agarwal's teaching. One would have been motivated to do so as set forth above.

Conclusion

9. Any inquiry concerning this communication should be directed to examiner Thuy Dao (Twee), whose telephone/fax numbers are (571) 272 8570 and (571) 273 8570, respectively. The examiner can normally be reached on every Tuesday, Thursday, and Friday from 6:00AM to 6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tuan Q. Dam, can be reached at (571) 272 3695.

The fax phone number for the organization where this application or proceeding is assigned is (571) 273 8300.

Any inquiry of a general nature of relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is (571) 272 2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/T Dao/

/Tuan Q. Dam/
Supervisory Patent Examiner, Art Unit 2192